

## BOARD MEETING

19 February 2020

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### Minute of the Scottish Police Authority Board Meeting held on Wednesday, 19 February 2020 in The Barracks, Stirling

(This meeting is available to view through our dedicated Livestream  
channel: [https://livestream.com/SPA/Stirling\\_Feb2020](https://livestream.com/SPA/Stirling_Feb2020))

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Board Members Present: David Crichton (Vice Chair)  
Martyn Evans  
Tom Halpin  
Robert Hayes  
Grant Macrae  
Michelle Miller  
Mary Pitcaithly  
Jane Ryder  
Matt Smith  
Caroline Stuart  
Elaine Wilkinson

In attendance: Police Scotland (PS)  
Deputy Chief Constable (DCC) Malcolm Graham  
Deputy Chief Constable (DCC) Fiona Taylor  
Deputy Chief Officer (DCO) David Page  
Assistant Chief Constable (ACC) Bernie Higgins *(Item 6)*  
Assistant Chief Constable (ACC) Mark Williams *(Item 5)*  
James Gray, Chief Financial Officer *(Items 7 and 10)*  
Jude Helliker, Director of People and Development *(Item 9)*  
Iain McKie, Interim Procurement Improvement Lead *(Item 10)*

Scottish Police Authority (SPA)  
Lynn Brown, Interim Chief Executive Officer  
Barry Sillers, Director of Strategy and Performance  
Tom Nelson, Director of Forensic Services *(Item 8)*

SPA Secretariat

Catherine McIntyre, Head of Board Services

Karen Vallance, Committee Co-ordinator

## 1. WELCOME AND STANDING ITEMS

The Vice Chair opened the meeting and welcomed all Board Members and representatives from the Police Scotland senior leadership team. He noted apologies from Chief Constable Livingstone and DCC Will Kerr.

The Vice Chair thanked the Divisional Commander of Forth Valley for hosting Members the day prior where discussion focussed on the approach of the contact assessment model. He observed that the meetings and discussions were an important reminder of what policing achieves within communities.

The Board **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no decisions of interest;
- **ADOPT** the minute of the 17 January 2020 meeting;
- **NOTE** the action log and that there were no matters arising. The Vice Chair thanked the Chief Constable for the briefing regarding the criminal justice summary case management pilot;
- **NOTE** no decisions had been taken via correspondence since the last meeting;
- **AGREE** that, in accordance with paragraphs 21 and 22 of the SPA Standing Orders, the Board would consider items 13 - 18 in private for the reasons set out on the agenda.

## 2. SPA VICE CHAIR'S REPORT

The Vice Chair referred to his report and highlighted the following areas;

- The Scottish Government budget announcement was welcomed as it provided a degree of certainty and a proposed budget would be brought to the March Authority meeting. He advised that the Authority would continue to highlight that the budget remains in deficit which is unsustainable. Addressing this will drive the Authority's business over the coming year and they will continue to press Police Scotland for further transformational change in policing, robust demand and productivity analysis and good strategic

workforce planning. The Authority will also continue to make the case for additional capital funds.

- The Vice Chair welcomed the confirmation from UK Government of a new COP26 lead, confirming that the SPA will provide any guidance, if required.
- The SPA had invited COSLA to be represented on the Policing Performance Committee. Councillor Kerry Parry will be COSLA's representative.
- Discussions between Scottish Government and the Vice Chair were ongoing in relation to Board Member vacancies.
- The Vice Chair listed proposed changes to Committee membership:
  - Policing Performance Committee: Martyn Evans (Chair), Michelle Miller and Robert Hayes.
  - Succession Planning and Appointments Committee: The Vice Chair (Committee Chair), Tom Halpin and Matt Smith.
  - Policing of COP26 Oversight Group: Tom Halpin (Chair), Jane Ryder, Martyn Evans and Mary Pitcaithly.
  - Whistleblowing Champion: Michelle Miller.

Elaine Wilkinson (EWilkinson), referred to the capital budget allocation in the context of 2021 and queried how it can be spent in light of pressures around COP26. DCO David Page (DPage) responded that any additional capital budget will go to infrastructure such as estates and fleet, and core transformational change. He confirmed that capital funds will be spent.

The Board **RESOLVED** to:

- **NOTE** the update
- **AGREE** the changes to Committee membership and the Whistleblowing Champion.

### 3. CHIEF CONSTABLE'S REPORT

DCC Taylor (DCCTaylor) summarised the report which provided Members with information relating to the Police Service, policing and the state of crime. In addition to the report she also highlighted:

- Police Scotland have been working with partners to ensure disruption has been minimised and to support community safety during storms Ciara and Dennis. A significant policing resilience response was initiated to deal with flooding and the Force Reserve was deployed to assist.

- Police Scotland announced the intention to begin developing proposals around the use of a lifesaving nasal spray to treat victims of drug overdoses. A steering group of partners is being established to develop proposals for a test of change and an invite was extended to the Authority. Proposals for this test of change are being undertaken to provide an evidence base to determine whether officers can assist in tackling the harm caused by drugs. Work to develop the proposals is at an early stage and there is no pre-determined outcome, with the final decision to be made by the Chief Constable.
- Police Scotland are supporting 8 candidates for the 2020 Senior Police National Assessment Centre with those successful attending the Strategic Command Course.
- With regard to COP26, the Chief Constable wrote to the Vice Chair to inform Members of his decision to frontload recruitment for 2020/21. By the end of 2020, the number of recruited officers will be the expected number but the aim is for all to be deployed prior to COP26. The marginal costs associated with this move are directly attributable to COP26 and the Chief Constable has stated he will not progress without explicit agreement those cost will be met by the UK Government.

In discussion the following matters were raised:

- The Vice Chair also thanked the officers and staff who were involved in the response to Storm Ciara and Dennis.
- Members referred to the marginal cost of front loading recruitment and emphasised the important of the cost being recovered. They also noted consideration should be given to an alternative option, noting cost differentials and recording best value.
- Members requested assurance on the priority given to strategic workforce planning. At the Resource Committee, Members asked for assurance over the SPA role in governance and that the process would reflect the known strategic changes such as cybercrime. Committee Members had also requested more information on the process for engagement and consultation with the trade unions and staff associations. DCCTaylor responded that strategic workforce planning is a priority and progress is reported to the Police Scotland People Board and Change Board so she has a personal oversight on progression. Trade Unions are also invited to attend the Police Scotland Project Board. Another stage of scrutiny has been inserted – scrutiny and challenges by the DCC's to determine that

prioritisation is correct and new areas of demand are being identified.

- It was noted that the Internal Audit of the design to test out the methodology had slipped and it was critical to be on track for a November delivery.
- Members sought more information on Police Scotland's response to Coronavirus, including potential procurement of specialist protection. ACC Graham (ACCGraham) responded that Police Scotland are continually looking at their role within the wider partnership and work is ongoing to determine what response is necessary.
- With regards to Special Constable recruitment, DCCTaylor confirmed that there is no cut off level to the number of new recruits, however Police Scotland are looking to enhance levels in rural and remote areas. The recruitment campaign is being managed to enable this.
- Members questioned whether the retention of the force reserve is still required in the absence of Operation Yellowhammer and whether it is the best way to support local policing. DCCTaylor responded that a force reserve will not be retained at the number it had been during Operation Yellowhammer. However it was the intention to maintain a smaller 'Flexible Deployment Unit', in the short term. The rationale for that decision is that experience so far has suggested that deployment of the force reserve had created efficiencies and was an effective way of deploying officers. The Flexible Deployment model will be within the total number of officers of 17,234.
- Members referred to the Purple Flag Award held by Aberdeen and sought views on the award throughout the rest of Scotland and whether the Senior Executive take an active view in extending the award. DCCTaylor responded that Police Scotland will always strive to create welcoming and safe environments throughout Scotland. In relation to the Purple Flag award, Police Scotland would engage with Councils and other local groups as it cannot be done independently by the police force.
- Members referred to the gateway review on the transformation programme and requested the report be shared with Members, once complete.

The Board **RESOLVED** to:

- **NOTE** the update.

- **AGREE** the following action:

Gateway Review on Transformation Programme Report still to be finalised. Once complete, to be shared with Members.

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#### **4. SPA INTERIM CHIEF EXECUTIVE'S REPORT**

Lynn Brown (LBrown) summarised the report which updated Members on activities carried out by the Chief Executive and significant areas of development since the previous Authority meeting on 17 January 2020.

EWilkinson added that the budget settlement indicates that the organisation cannot afford the number of officers that it has to maintain. Benefits coming out of projects suggest that the organisation would be in a position to reduce officer numbers without losing any operational capacity but would allow the operational deficit to be reduced. The request to maintain officers at 17,234 is unaffordable and not sustainable.

MEvans noted he had co-chaired a round table discussion with DCCTaylor on data and evidence at Tulliallan and thanked staff within SPA and Police Scotland for their assistance. He highlighted that Police Scotland are the only force in the UK who have received a kite mark for the quality of their official statistics. DCCTaylor echoed thanks to staff who had assisted in the event, noting the high quality of speakers and discussion. The Vice Chair added that the ability for SPA and Police Scotland to work together at these types of events helped demonstrate the importance of leading public debate on the future of policing.

The Board **RESOLVED** to:

- **NOTE** the update.

#### **5. POLICING BREXIT UPDATE AND IMPLICATIONS**

ACC Mark Williams (ACCWilliams) referred to the report which provided an update on EU Exit contingency plans, highlighting;

- The use of the Force Reserve has made a positive impact on service delivery and staff wellbeing and feedback has been positive. An internal review has examined a range of future options where it has been proposed to retain the flexibility of the Force Reserve for other extraordinary demands anticipated during 2020/21.

- Mitigation measures required to address the loss of EU JHA measures include increased numbers in the international unit and an increase in border policing.
- Work is ongoing during the transition period to maintain a relationship with Europol.

The Vice Chair advised that Brexit implications would no longer be a standing item at Authority meetings and any reporting would be by exception.

The Board **RESOLVED** to:

- **NOTE** the report

## **6. POLICING OF THE 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP26)**

Tom Halpin (THalpin) provided an update following the initial set up meeting of the SPA Policing of COP26 Oversight Group, highlighting:

- The set up meeting was held on 11 February with membership from SPA, Police Scotland and Scottish Government. Future meetings would include attendance from HMICS.
- With a few amendments, a Terms of Reference had been agreed which allowed the determination of boundaries, such as the group not having a remit in operational matters.
- Discussion focused on the requirement for full cost recovery and the priority to mitigate and plan to maintain business as usual for local communities. The group also recognised the reputational risk associated with such a significant and unprecedented large scale event
- The group would ensure there was reasonable assurance given to planning and noted that the Metropolitan Police had been invited to provide operational assurance relating to all operational planning work.
- Due to the fast moving, dynamic nature of the planning, the group recognised that some delegation of authority may be required to be reviewed to allow quick decisions to be made.

The Vice Chair noted that the Terms of Reference demonstrated that the group can provide the appropriate level of oversight.

ACC Higgins (ACCHiggins) referred to the written report which provided Members with a situational overview of COP26. In addition to the paper, he highlighted:

- The United Nations (UN) had their first technical visit to Glasgow during the week commencing 10 February. As more information is received from the UN, planning assumptions will be re-evaluated.
- The Steering Group chaired by the COP26 Chief Executive took place during the week commencing 10 February and was attended by the Chief Constable and DCC Kerr. The group recognised the need to formalise governance arrangements and Police Scotland has a strong voice at that group.
- The Operations Working Group is scheduled for the week commencing 24 February followed by a planning assumptions meeting where the majority of planning assumptions would be agreed.
- The Scottish Government Safety and Resilience Board has been established which is attended by Police Scotland although it is noted that the policing safety and security operation is separate from health, fire, ambulance and other public sector areas.
- With regards to media coverage on the SEC plans being published online, ACCHiggins advised it was not unusual for public event buildings to have plans online. Mitigation steps had already been taken to maintain security of the SEC campus and work continues to ensure the campus remains secure.

In discussion the following matters were raised:

- ACCHiggins confirmed he was not concerned about any overlaps or gaps in relation to governance. The Chief Constable and ACCHiggins represent Police Scotland at UK level meetings with the Chief Constable making any high level decisions required and ACCHiggins leading the tactical groups. James Gray (JGray) and DPage attend finance related groups and DPage added that he will work closely with LBrown and confirmed there are finance colleagues embedded in all of ACCHiggins COP26 related teams.
- EWilkinson advised that it was indicated at the Resources Committee that work within Police Scotland on other projects was being delayed due to staff extractions to COP26 work and noted the importance of this being avoided. DPage responded that those staff extractions are having an impact and the risk is detailed within the risk register with work being undertaken to mitigate against them. Reprioritisation of work will be reported to the SPA Oversight Group as noted in their Terms of Reference.



- LBrown was asked for clarity on her Accountable Officer role. She responded that it was a complex landscape but the SPA Oversight Group was helping to navigate that. She added that with regard to finance, she works closely with DPage and JGray and any issues are escalated. Money coming to the Scottish Consolidated Fund is then the accountability of the Permanent Secretary and the money is then distributed. If the funding does not come through this route and instead through the Home Office, the accountability stays with the Accountable Officer within the Home Office. DPage added that the COP26 team within the Home Office had been extremely helpful in working together to reduce bureaucracy.
- LBrown confirmed that the total cost of policing COP26, including mutual aid, is likely to be split between the UK Government and Scottish Government although the exact split and cost has yet to be determined.

The Board **RESOLVED** to:

- **NOTE** the report

## **7. FINANCIAL REPORTING**

### **7a. OCTOBER- DECEMBER 2019**

JGray referred to the paper which provided an update on the financial position of the SPA and Police Scotland for quarter 3 of the financial year 2019/20, as well as forecasting the full year outturn to 31 March 2020. He summarised the revenue and capital underspend vs budget, highlighting that the deficit is now £1.0million over budget.

EWilkinson advised that the Resources Committee had looked at the controls in place for overspend and had been provided assurance on officer TOIL management.

The Board **RESOLVED** to:

- **NOTE** the report.

### **7b. CHARGING FOR EVENTS AND OTHER SERVICES 2020/21**

JGray referred to the paper which provided the revised schedule of rates for calculating the charges for events and other police services for 2020/21. In addition to the report, he highlighted that the paper is usually appended to the budget but was presented early to allow Divisional Commanders to progress.

EWilkinson confirmed that the Resources Committee agreed to recommend the report, noting that work is underway to review the policy.

The Board **RESOLVED** to:

- **NOTE** the report;
- **APPROVE** the revised schedule of charges for events and other services for 2020/21.

## **8. FORENSIC SERVICES PERFORMANCE REPORT**

Tom Nelson (TNelson) referred to the report which presented the performance report for Quarter 3. He summarised quarterly work regarding performance, engagement and business updates, and highlighted that Quarter 3 is the busiest quarter in relation to accreditors as all evidence is provided to UKAS during this time.

In discussion the following matters were raised:

- THalpin, as Chair of the Forensic Services Committee, noted the Committee were keen to develop the performance report to highlight what the science is reporting.
- Members sought assurance as to the extent to which the data is detailing how the strategic objectives are being met. TNelson referred to the graphs detailing the casework demand, output and ageing which evidences that cases are being worked more effectively with additional resource.
- With regard to the fluctuation in demand, Members asked how forward workforce planning would address this. TNelson confirmed that a commitment had been given to bring the business case for the Target Operating Model to the Forensic Services Committee in April. Timeware software is also being rolled out to understand staff utilisation. Work is continuing on the Memorandum of Understanding (MOU) between Forensic Services, Police Scotland and the Crown Office, and this will also be presented to the April Forensic Services Committee.
- Members requested further information regarding how intelligence and data relating to drugs analysis can provide tactical information to Police Scotland and to other public services such as the NHS. TNelson confirmed that advanced analytics had been rolled out which links instruments and intelligence gathered through results is

shared with Police Scotland. Forensic Services also now sit on the Data Group to ensure intelligence received aligns with strategic work. ACCGraham agreed that the ability for Police Scotland and Forensic Services to work together has improved and work continues to develop an understanding of what any trends and spikes show.

- With regard to the increased scope around drug driving, Members recognised this equalled a lot of capital expenditure for equipment and therefore the depreciation budget should be understood. LBrown responded that work on both capital and revenue budgets continues in collaboration with TNelson and DPage.
- Members questioned whether the extent to which the increase in demand is influenced by the fact newer scientific methods can be undertaken and questioned how that can be controlled. TNelson agreed that is the case and work in developing the MOU would assist in addressing how that can be controlled.
- With regards to staff days lost, TNelson advised that the absence rates are low compared to other organisations however the area of Scene Examination is particularly high due to the distressing elements of the work. He confirmed that more wellbeing packages were being put in place to address and assist this.

The Board **RESOLVED** to:

- **NOTE** the report.

## **9. HEALTH, SAFETY AND WELLBEING**

### **9a. HEALTH AND SAFETY**

Jude Helliker (JHelliker) referred to the report which presented a strategic overview in relation to Health and Safety within the SPA and Police Scotland, highlighting:

- The report had been developed to include greater use of graphs and trends following feedback from the Resources Committee and the Authority meeting.
- A new category has been introduced called 'Undesired Circumstance', which categorises matters such as airwave battery failures and missed meal breaks which had previously being recorded within 'near misses'.

- Scope incident reports in policing premises were not related to estate issues but with arrests or detaining in custody.

In discussion the following matters were raised:

- Members questioned what contributing factors are arising in relation to RIDDOR incidents and from Your Safety Matters discussions in relation to assaults. JHelliker responded that causal factors are monitored manually and slips, trips and falls in foot pursuits are a continual issue and new protective personal equipment is being procured to assist in addressing this. G Division and OSD have the highest RIDDOR figures and the highest assaults are within Q and D Division and work continues to analyse any causal links. She added that work is continuing with DPage and ICT teams to see if there are any opportunities to develop current systems to record and analyse causal factors.
- Members sought clarity on what common issues are being identified via the custody audits and what actions are being taken to address this. JHelliker responded that custody audits are continuing and looking at a variety of Health and Safety issues within custody. A lot of issues are related to estates and the estates team respond to them as a matter of urgency and are dealt with on a dynamic basis.
- Members questioned how health and safety is prioritised in relation to estates. DPage responded that the first allocation for estates, fleet and ICT is maintenance in order to meet all statutory, legislative and health and safety requirements.

The Board **RESOLVED** to:

- **NOTE** the report.

## **9b. WELLBEING**

JHelliker referred to the report which provided an update in relation to current wellbeing initiatives and support, highlighting:

- Work is ongoing to identify organisational factors that are affecting people's wellbeing.
- £2.5m is spent on wellbeing initiatives and an ambitious plan has been put forward to develop further initiatives. Some of the priorities will help refresh the Chief Constable's commitments in the forthcoming year.
- JHelliker referred to the recent tragic loss of officers, commenting that work has taken place with the National Suicide Prevention

Leadership group. Police Scotland have asked the Scottish Action for Mental Health organisation to conduct a peer review on Police Scotland's wellbeing initiatives.

In discussion the following matters were raised:

- Members sought further clarity on the operational reasons contributing to the delay in the staff survey and when it is intended for the survey to take place. JHelliker responded that there is a commitment to undertake the survey and the timing of the survey is anticipated to be confirmed soon. She confirmed that Durham University are still under contract to deliver the strategy. Issues raised in previous surveys have been responded to through the People Strategy, wellbeing investment, the leadership framework and the Chief Constable's commitments.
- With regards to the draft strategic police plan, to ensure proportionality and avoidance of duplication of work in relation to meeting strategic outcome 4, Members requested consideration be given to how this is reported to both Resources and Policing Performance committee.
- DCCTaylor advised that work is progressing to launch an assaults pledge, drawn up with partners including Crown Office, wider health service, staff associations and trade unions. The Vice Chair responded that when the pledge is ready to be implemented, it be highlighted within future reporting to the Authority to allow the opportunity to reinforce the message publically.

The Board **RESOLVED** to:

- **NOTE** the report.
- **AGREE** the following action:

To ensure proportionality and avoidance of duplication of work in relation to meeting strategic outcome 4, Lynn Brown and Jude Helliker to discuss how this is reported to both Resources and Policing Performance committee.

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## 10. PROCUREMENT ANNUAL REPORT

Iain McKie (IMcKie) referred to the report which presented the draft annual procurement report for 2018/19, prepared in accordance with the

requirements of the Procurement Reform (Scotland) Act 2014. He highlighted that 80% of dates noted as 'TBC' within the report were now confirmed and the report will be updated as such prior to publishing.

EWilkinson confirmed that the Resources Committee recommended the report. Jane Ryder (JRyder) added that the procurement improvement plan reported to the Audit Committee had shown real improvement.

The Board **RESOLVED** to:

- **NOTE** the report;
- **AGREE** the Annual Procurement Report 2018-19 Draft and its' publication on the Police Scotland website.

## **11. STRENGTHENING GOVERNANCE AND ACCOUNTABILITY**

### **11a SPA OVERSIGHT OF CHANGE IN POLICING**

Barry Sillers (BSillers) referred to the report which presented the results of a comprehensive review of the overall change portfolio and the processes already in place to provide oversight, with recommendations provided on an enhanced approach. He highlighted that input on previous drafts had been provided through Board Seminars with further feedback received from Committee Chairs. He provided a summary of the review principles, approach, conclusions and recommendations.

Members welcomed the 6 month review report which would allow the opportunity to address the governance of change control.

The Board **RESOLVED** to:

- **NOTE** the report.
- **APPROVE** the 5 levels of change oversight.

### **11b SPA EXCELLENCE FRAMEWORK**

BSillers referred to the report which sought approval for the SPA Excellence Framework. He highlighted:

- The framework was a whole system approach covering assurance across the policing system.
- It reflected European Foundation for Quality Management best practice.
- The four lines of defence: management, oversight function, internal audit and external audit, inspection and review; and the hierarchy of assurance - compliance, learning, efficiency and effectiveness and preparedness.

The Board **RESOLVED** to:

- **NOTE** the report.
- **APPROVE** the SPA Excellence Framework.

### **11c SPA RISK FRAMEWORK**

BSillers referred to the report which sought approval of the SPA risk framework. He summarised the whole system approach covering business areas and operational and strategic level risks across the policing system.

The Vice Chair commended the work of staff for their contribution and noted the framework signalled the strengthening of internal assurance.

The Board **RESOLVED** to:

- **NOTE** the report.
- **APPROVE** the SPA Risk Framework

## **12. COMMITTEE AND OVERSIGHT GROUP REPORTS**

The Chair noted the number of reports tabled and invited Committee and Working Group Chairs to highlight any additional information not contained within the written reports

- **CAM Working Group**: Martyn Evans (MEvans) referred to the written report, highlighting it was one of the biggest policing transformations to take place. The increase in 999 calls have increased by 20% in the last year which has a capacity effect. A report on how Police Scotland are responding to this is anticipated to be brought to the next meeting.
- **Legal Actions, Claims and Appeals Committee**: Mary Pitcaithly (MPitcaithly) referred to the written report and highlighted that the Committee is now focussed on looking at data and trend information and assessing lessons learned.
- **Audit Committee**: JRyder referred to the written report, highlighting improvements in procurement and the challenges which still remain such as strategic workforce planning.
- **Forensic Services Committee**: THalpin referred to the written report, highlighting that good progress is being made on the HMICS inspection and recommendations, and the progress in drug driving work. He emphasised that accreditation achieved to date is to be

commended and advised work was underway to improve the performance reporting brought to the Committee.

- **Resource Committee**: EWilkinson referred to the written report, highlighting the Committee were disappointed with the reporting on the People Strategy and had requested a report be brought back to the Committee which explicitly reports against the commitments made in the People Strategy. She also advised that it became apparent that there is slippage in the SPRM milestones for the panel hearings which generates a risk to completion.

The Vice Chair commented that the Authority have previously been criticised for not scrutinising enough at Authority meetings. However, as in any good organisation, much of the detailed scrutiny takes place at Committee level and recommendations subsequently come to the full Board with the assurance that Committees have already scrutinised them. The reports from Committee chairs reinforced that this was happening effectively.